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JCS84 U.S. PTODIVISION - CONTINUATION - CONTINUATION-IN-PART
APPLICATION TRANSMITTAL FORM

Attorney Docket No.: A-430F

Anticipated Classification Of This Application:
Class SubclassPrior Application:
Examiner
E. O'HaraArt Unit
1646JCS21 U.S. PTO
09/07/263
07/17/01

To the Assistant Commissioner for Patents:

This is a request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/326,394 filed on June 4, 19 99, of Alison M. Bendele, Regina M. Sennello, Carl K. Edwards, III

for COMBINATION THERAPY USING A TNF BINDING PROTEIN FOR TREATING TNF-MEDIATED DISEASES

For CONTINUATION or DIVISIONAL APPLNS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. ☒ Transmitted herewith are:
- ☒ 86 pages of specification, 3 pages of claim(s) and 1 page of abstract, 5 pages of sequence, totaling 95 pages.
 - ☒ 8 sheet(s) of drawings.
 - ☒ 2 pages of Oath or Declaration by the applicant(s):
 - ☐ a. Newly executed (original or copy)
 - ☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
 - ☒ 5 pages of Sequence Listing; sequence statement.
2. ☒ The filing fee is calculated below:

For	Number Filed		Number Extra		Rate	Fee
Total Claims	46	- 20 =	26	x	\$18.00 =	\$ 468.00
Independent Claims	4	- 3 =	1	x	\$80.00 =	80.00
Multiple Dependent Claims				+	\$270.00 =	0
Basic Fee					\$710.00 =	710.00
Total Filing Fee						\$1,258.00

3. ☒ Please charge Deposit Account No. 01-0519, in the name of Amgen Inc., in the amount of \$1,258.00. An original and one copy are enclosed.
4. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
5. ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 01-0519 throughout the prosecution of this application.
6. ☒ Cancel in this application original claims 2-26 of the prior application and consider the preliminary amendment before calculating the filing fee. (At least one original independent filing purposes.)

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number. EL360689926USDate of Deposit. July 17, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231

Lynne Buchsbaum
Printed Name

Lynne Buchsbaum
Signature

7. ☒ Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a ☐ continuation ☒ division of application Serial No. 09/326,394 filed June 4, 1999, which is a continuation of PCT/US97/22733, filed December 8, 1997, which claims benefit to U.S. Provisional Serial No. 60/032,587, filed December 6, 1996, U.S. Provisional Serial No. 60/036,355, filed January 23, 1997, U.S. Provisional Serial No. 60/039,315, filed February 7, 1997 and U.S. Provisional Serial No. 60/052,023, filed July 9, 1997, all of which are hereby incorporated by reference.--

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☒ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. _____ filed on _____ in _____
is claimed under 35 USC 119. (country)

9a. ☐ The certified copy has been filed in prior application Serial No. _____ filed _____

10. ☒ The prior application is assigned of record to Amgen Inc.

11. ☒ A preliminary amendment is enclosed.

12. ☒ Also enclosed Information Disclosure Statement and #1449

13. ☐ Other: _____

14. ☒ The power of attorney in the prior application is to:
Ron K. Levy, Reg. No. 31,539, Steven M. Odre, Reg. No. 29,094, Thomas D. Zindrick, Reg. No. 32,185, and
Timothy J. Gaul, Reg. No. 33,111.

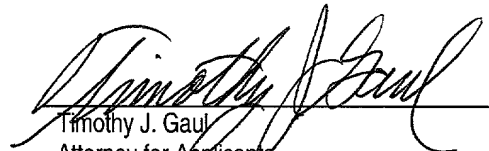
a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to
Timothy J. Gaul
at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record


Timothy J. Gaul
Attorney for Applicants
Registration No. 33,111
Phone: (805) 447-2688
Date: July 17, 2001

Please send all future correspondence to:

U. S. Patent Operations/ TJG
Dept. 4300, M/S 27-4-A
AMGEN, INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799, USA



21069

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1c821 U.S. PTO
09/907263
07/17/01

Applicant(s): Bendele et al.
Serial No.: Not Yet Received
Filed: July 17, 2001
For: COMBINATION THERAPY USING A TNF BINDING PROTEIN FOR TREATING TNF-MEDIATED DISEASES
Docket No.: A-430F

ATTORNEY'S STATEMENT PURSUANT TO 37 CFR § 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The computer readable form in this application, Serial No. [NOT YET RECEIVED], is identical with that filed in Application Serial No. 09/326,394, filed June 4, 1999. In accordance with 37 CFR §1.821(e), please use the computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the originally-filed specification.

In addition, I hereby state that the paper copy of the Sequence Listing in this application and the computer readable form of the Sequence Listing submitted in the parent case are the same and contains no new matter.

Respectfully submitted,



Timothy J. Gaul
Attorney for Applicants
Registration No.: 33,111
Phone: (805) 447-2688
Date: July 17, 2001

Please send all future correspondence to:
US Patent Operations/ TJG
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

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Lynne Buchsbaum
Printed Name

Lynne Buchsbaum
Signature